

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

LIFE INSURANCE COMPANY OF
NORTH AMERICA,

Plaintiff,
vs.

CIVIL NO. 5:06-cv-946

JODEAN M. HARRELL, CRYSTAL HARRELL,
NIKKI HARRELL and ESTATE OF
DAVID HARRELL,

Defendants.

Appearances:

For Defendant Jodean M. Harrell
Jodean M. Harrell, Pro Se
19 Grover Street
East Syracuse, New York 13057

For Defendants Crystal Harrell,
Nikki Harrell and Estate of David Harrell:
RINALDI LAW OFFICE
University Building
120 East Washington Street
Suite 422
Syracuse, New York 13202

Glenn T. Suddaby, U.S. District Judge

Of Counsel:

Angelo J. Rinaldi, Esq.

JUDGMENT DISMISSING ACTION BY REASON OF SETTLEMENT

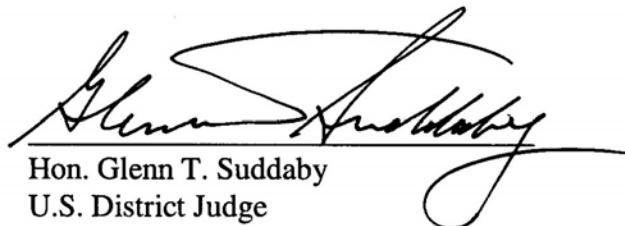
The Court having held a pretrial conference on 2/25/09 and having been advised by counsel and Pro Se defendant Jodean M. Harrell that the parties in this action have entered into an agreement in settlement of all claims in this action, and that they reasonably anticipate finalizing their agreement shortly, following which this action will be discontinued, with prejudice, by stipulation pursuant to Rule 41(a)(1)(ii) of the Federal Rules of Civil

Procedure. Counsel has also advised that no infant or incompetent is a party to this action. Based upon this development, I find that it is not necessary for this action to remain on the calendar of the Court. It is therefore hereby

ORDERED that this action is **DISMISSED** in its entirety **without prejudice** pursuant to the procedure as set forth in L.R. 68.2(a) of the Local Rules of this court. This judgment is issued without prejudice to the right of the parties to secure reinstatement of the case within thirty (30) days after the date of this judgment by making a showing that the settlement was not, in fact, consummated; and in the event that no request is made for reinstatement within thirty (30) days of the date of this judgment, the dismissal of this case shall thereafter be **with prejudice**; and it is further

ORDERED that the Clerk shall serve copies of this Judgment upon the attorneys for the parties appearing in this action.

Dated: February 25, 2009
Syracuse , New York



Hon. Glenn T. Suddaby
U.S. District Judge